

PROCEEDINGS AGAINST PETER TREMONT FOR CONTEMPT OF THE SENATE

FEBRUARY 8 (legislative day, JANUARY 29), 1951.—Ordered to be printed

Mr. KEFAUVER, from the Special Committee To Investigate Organized Crime in Interstate Commerce, submitted the following

REPORT

[To accompany S. Res. 69]

The Special Committee To Investigate Organized Crime in Interstate Commerce, as created and authorized by the United States Senate by Senate Resolution 202, Eighty-first Congress, second session, caused to be issued a subpoena to Peter Tremont, of Chicago, Ill. The said subpoena directed Peter Tremont to be and appear before the said committee forthwith at its committee room 900, HOLC Building, First and Indiana Avenue NW., Washington, D. C., then and there to testify touching matters of inquiry committed to said committee and not to depart without leave of said committee. The date of the subpoena was the 26th day of August 1950. On December 20, 1950, pursuant to said subpoena dated August 26, 1950, the witness so appeared in Chicago, Ill. The subpoena served upon said Peter Tremont is set forth as follows:

UNITED STATES OF AMERICA

CONGRESS OF THE UNITED STATES

To PETER TREMONT, Care of Tremont Auto Sales Corp., 6040 South Cottage Grove, Chicago, Ill., Greeting:

Pursuant to lawful authority you are hereby commanded to appear before the Committee on Senate Committee To Investigate Organized Crime in Interstate Commerce of the Senate of the United States, on forthwith, 1950, at their committee room, 900 HOLC Building, First and Indiana Avenue NW., Washington, D. C., then and there to testify what you may know relative to the subject matters under consideration by said committee, and bring with you—

1. All ledgers, vouchers, canceled checks, check stubs, bank statements, notes, copies of tax returns, records of accounts receivable and payable, and records of cash receipts and disbursements, for the period from January 1, 1940, to date;
2. All books, records, or other documents showing ownership of, or other holding or interest in, any business company or enterprise, or in any property real, personal, or intangible, for the period from January 1, 1940, to date;
3. All correspondence relating to the subject matter referred to in paragraph 2 hereof, for the period from January 1, 1940, to date.

Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

To Daniel I. McCain to serve and return.

Given under my hand, by order of the committee, this 26th day of August, in the year of our Lord 1950.

ESTES KEFAUVER,

Chairman, Committee on Organized Crime in Interstate Commerce.

The said subpoena was duly served as appears by the return made thereon by Daniel I. McCain, who was duly authorized to serve the said subpoena. The return of the service by the said Daniel I. McCain, being endorsed thereon, is set forth as follows:

SEPTEMBER 14, 1950.

I made service of the within subpoena by personal service on the within-named Peter Tremont at 6000 Cottage Grove Avenue, Chicago, Ill., at 10:45 o'clock a. m., on the 14th day of September 1950.

DANIEL I. MCCAIN.

The said Peter Tremont, pursuant to said subpoena and in compliance therewith, appeared before the said committee to give such testimony as required by virtue of Senate Resolution 202, Eighty-first Congress, second session. Peter Tremont, having appeared as a witness and having been asked questions, which questions were pertinent to the subject matter under inquiry, made answers as appeared in the record of the hearing on December 20, 1950, at Chicago, Ill., which record is annexed hereto and made a part hereof and designated "Annex I."

As a result of Peter Tremont's refusal to answer the questions pursuant to the said inquiry, as appears in the record annexed, the committee was prevented from receiving testimony and evidence concerning the matter committed to said committee in accordance with the terms of the subpoena served upon this witness.

The committee was therefore deprived of answers to questions pursuant to the committee's inquiry propounded to Peter Tremont pertinent to the subject matter which, under Senate Resolution 202, Eighty-first Congress, second session, the said committee was instructed to investigate, and the refusal of the witness to answer questions as set forth in annex I is a violation of the subpoena under which the witness was directed to appear and answer pertinent questions to the subject under inquiry, and his persistent and illegal refusal to answer the aforesaid questions deprived the committee of necessary and pertinent testimony and places this witness in contempt of the United States Senate.

The subcommittee hearing at which said witness refused to answer said questions was duly authorized by a resolution of the said committee as set forth below:

SPECIAL COMMITTEE TO INVESTIGATE ORGANIZED CRIME IN INTERSTATE COMMERCE

MINUTES OF A COMMITTEE MEETING, SEPTEMBER 6, 1950

The committee held an executive session at 2 o'clock in room F-82 in the Capitol. There were present Senators Kefauver, Hunt, and Wiley. There were also present Rudolph Halley, chief counsel; Alfred Klein, assistant counsel; and Julius Cahn, administrative assistant to Senator Wiley.

It was duly resolved on motion made by Senator Hunt and seconded by Senator Wiley that the chairman be authorized at his discretion to appoint subcommittees of one or more Senators, of whom one member will be a quorum for the purpose of taking testimony and all other committee acts, to hold hearings at such time and places as the chairman might designate with reference to the committee's investigations of organized crime in the vicinities of the cities of Chicago, St. Louis, Kansas City, Miami, Miami Beach, and Philadelphia, and in the States of New York and New Jersey.

ESTES KEFAUVER.

In accordance with the resolution of September 6, 1950, the chairman designated himself as a subcommittee of one to swear witnesses and to hear testimony at Chicago, Ill., on December 18 through 20, 1950.

After reviewing the testimony and other facts as set forth herein, the committee adopted a resolution, as set forth below:

SPECIAL COMMITTEE TO INVESTIGATE ORGANIZED CRIME IN INTERSTATE
COMMERCE

MINUTES OF A COMMITTEE MEETING, JANUARY 5, 1951

The committee met at 11:30 a. m., in room 457, Senate Office Building. There were present the chairman and Senators Tobey and Wiley.

The chairman presented to the committee the minutes of the committee meeting of September 6, 1950, together with a resolution made as of that date. The chairman stated to the committee that the chairman had designated a subcommittee to hear continued testimony in connection with organized crime in the city of Chicago and in the cities of Miami and Miami Beach pursuant to the resolution of September 6, 1950, the subcommittee consisting of the chairman.

The chairman then presented to the committee the minutes of said subcommittee meetings on December 20, 1950, held in room 267, United States Courthouse (Old Post Office Building), Chicago, Ill.

The chairman stated to the committee that the witness, Peter Tremont, repeatedly, consistently, and arbitrarily had refused to answer questions put to him throughout the chairman's examination of said witness on December 20, 1950, and that his refusal therefore was improper and contemptuous.

The chairman presented to the committee a draft report on the entire matter for the committee's consideration and the committee duly adopted the said report and instructed the chairman to present said report to the United States Senate.

Therefore, upon motion of Senator Tobey, duly seconded by Senator Wiley, it was duly resolved that the committee present to the United States Senate, for its immediate action, a resolution requiring the United States attorney for the northern district of Illinois to proceed against the said Peter Tremont in the manner and form provided by law.

ESTES KEFAUVER, *Chairman.*

ANNEX I

UNITED STATES SENATE,
SPECIAL COMMITTEE TO INVESTIGATE
ORGANIZED CRIME IN INTERSTATE COMMERCE,
Chicago, Ill., Wednesday, December 20, 1950.

The committee met, pursuant to adjournment, at 9:30 a. m., in room 267, United States courthouse, Senator Estes Kefauver (chairman) presiding.

Present: Senator Kefauver.

Also present: Rudolph Halley, chief counsel; George Robinson; Henry P. Kiley; William Amis; and Julius Cahn.

TESTIMONY OF PETER C. TREMONT

(The witness was sworn by the chairman.)

Senator KEFAUVER. Let the record show that Mr. Joseph E. Green, attorney, No. 1 North LaSalle Street, is appearing with Mr. Tremont.

Mr. ROBINSON. State your full name, please.

Mr. TREMONT. Peter C. Tremont.

Mr. ROBINSON. Where do you live?

Mr. TREMONT. Congress Hotel.

Mr. ROBINSON. Do you have a business address, too?

Mr. TREMONT. Yes, I do.

Mr. ROBINSON. What is that?

Mr. TREMONT. 6040 Cottage Grove Avenue.

Mr. ROBINSON. What business do you have there?

Mr. TREMONT. Tremont Auto Sales Corp.

Mr. ROBINSON. At 6040 Cottage Grove Avenue?

Mr. TREMONT. Yes.

Mr. ROBINSON. Is that the address of any other business?

Mr. TREMONT. No, that is just the Tremont Auto Sales.

Mr. ROBINSON. There is no other business you conduct at that address?

Mr. TREMONT. No; Tremont Auto Sales.

Mr. ROBINSON. Is there a business called the Standard Golden Gate at that address?

Mr. TREMONT. Well, Senator, if you don't mind, I would like to make a statement before this committee.

Senator KEFAUVER. All right, sir.

Mr. TREMONT. As a matter of record, I think as a citizen I have the right to make a statement here. Mr. Senator, I want to state my position here. With all respect to this committee, I understand I have certain rights and privileges under the Constitution.

The reason why I am reading this, Senator, is because I am not used to making speeches and I am not very good at making speeches.

Senator KEFAUVER. You can read it, or your counsel, either one.

Mr. TREMONT. As I understand, then, I refuse to answer questions on the basis that it may incriminate me. My concern in this respect, Senator, is not imaginary; it is real and sincere. Every day the paper in Chicago has carried a story saying that I was a man connected with the policy business. The stories have also said that I enjoy a very large income. They have quoted agents of this committee as saying that evidence which would be brought out at this hearing would be used by the internal revenue agents. They have plainly indicated that Federal criminal action might follow.

I therefore have every reason to feel that almost any question I might answer regarding my business may be used against me in a Federal criminal case.

I am sure that it is not the purpose or the wish of this committee to cause any citizen to be deprived of his rights under our Constitution. I refuse to answer that question and I must refuse to answer all other questions whose answers might in my judgment show me guilty of a crime or furnish clues or leads from which my guilt might be claimed.

Senator KEFAUVER. All right, Mr. Tremont. We are glad to have your statement. Did you write the statement yourself?

Mr. TREMONT. I did, sir.

Senator KEFAUVER. Or did your attorney write it?

Mr. TREMONT. I wrote the statement with his help.

Senator KEFAUVER. You mean you wrote it together?

Mr. TREMONT. Well, in a sense of the word, yes, I would say, but they are my words.

Senator KEFAUVER. I might explain to you, Mr. Tremont, as I have to the previous witness, Mr. Manning, your right to refuse to answer under the fifth amendment of the Constitution only goes to either a Federal crime or a definite link in what might result in a Federal crime. You have no right to refuse to answer something that concerns only a violation of the State law.

Also the testimony under the statute, what you say here, cannot be quoted as having been said by you in a trial against you.

We will ask you certain questions and we will let the record show that unless the chairman directs otherwise that you are ordered to answer those questions and then if you do not answer them, it will be taken that you refuse to follow the direction of the chairman. Do you understand that?

Mr. TREMONT. Yes, I understand what you said.

Mr. GREEN. I understand, and the record will show, in each case, Senator, the basis of his refusal is on the fifth amendment.

Senator KEFAUVER. If he refuses to answer, we will understand that it is on the ground that it might tend to incriminate him. Then the usual procedure is that the chairman orders and directs you to answer, and you refuse to follow the order and direction of the chairman. By your refusal to answer it will be considered that the chairman has ordered you to answer unless otherwise specified. Is that understood?

Mr. GREEN. If I may, may I repeat it to him?

Senator KEFAUVER. By the way, let's go along with a few questions first and see how we get along.

Mr. GREEN. All right.

Mr. ROBINSON. How long have you been in the automobile business?

Mr. TREMONT. Well, I believe I went in the business back in 1933 or 1934, I am not sure. It is a matter of record.

Mr. ROBINSON. Is it a new, or is it a used, car business, or is it both?

Mr. TREMONT. It is new and used, sir.

Mr. ROBINSON. Do you have a dealership?

Mr. TREMONT. We do, sir.

Mr. ROBINSON. And have you ever been in the construction business?

Mr. TREMONT. Yes, sir.

Mr. ROBINSON. What was the name of the business?

Mr. TREMONT. The Illinois Construction Corp.

Mr. ROBINSON. And how long were you in that?

Mr. TREMONT. Oh, I would say about 2 years. It is a matter of record.

I think it is about 2 years.

Mr. ROBINSON. And that was the business of bidding on contracts for building construction?

Mr. TREMONT. Yes, sir.

Mr. ROBINSON. Do you have any interest in that business now?

Mr. TREMONT. I do not, sir.

Mr. ROBINSON. You have sold it out?

Mr. TREMONT. Yes; I did.

Mr. ROBINSON. Do you have any interest in a company called the Rome-Silver?

Mr. TREMONT. Well, I decline to answer that question, Mr. Robinson, that the answer may incriminate me.

Senator KEFAUVER. Now, just a minute. At this point the chairman directs you to answer the question, orders you to answer the question, and if you refuse to follow the order of the chairman, state so.

You are directed to answer it. Do you still refuse to answer it?

Mr. TREMONT. I refuse to answer that question on the grounds——

Senator KEFAUVER. That is what I am getting at, where a question is asked and you refuse to answer it, my duty is to direct you to answer it, if I think it is a proper question.

So without going through the ceremony each time of me directing you to answer the question, unless I order the question withdrawn, you understand you are directed to answer it, and you refuse to answer it.

Mr. ROBINSON. Is that correct, do you understand that?

Mr. TREMONT. I believe I do; yes, sir.

Senator KEFAUVER. All right. You do, Mr. Green?

Mr. GREEN. I understand that; yes, sir.

Senator KEFAUVER. Go ahead, Mr. Robinson.

Mr. ROBINSON. Do you have any interest in a company called Erie-Buffalo?

Mr. TREMONT. No, sir, I do not. Whatever it is, I don't know what the company is. What is the company, may I ask that?

Mr. ROBINSON. Well, let me ask the question: Do you know what the Erie-Buffalo Co. is?

Mr. TREMONT. I do not, sir.

Mr. ROBINSON. Do you know Tom Manno?

Mr. TREMONT. I refuse to answer that question on the ground that that may incriminate me.

Mr. ROBINSON. Do you know Sam Pardy?

Mr. TREMONT. I refuse to answer that question on the ground that that may incriminate me.

Mr. ROBINSON. Do you know whether or not they are presently connected with the Erie-Buffalo Co.?

Mr. TREMONT. I refuse to answer that question on the ground that that may incriminate me.

Mr. ROBINSON. Do you know whether or not the Erie-Buffalo Co. is a company which operates a policy wheel?

Mr. TREMONT. I refuse to answer that question on the ground that that may incriminate me.

Mr. ROBINSON. You stated you had heard of the company but you had no connection with it?

Mr. TREMONT. No, I said I never heard of the company. I don't know what the company is.

Mr. ROBINSON. You don't know anything about it?

Mr. TREMONT. At the time you asked me the question, you asked me what the Erie-Buffalo Co. was, and I said I did not know. It sounded like a railroad company to me at first.

Mr. ROBINSON. Do you know of the Erie-Buffalo Co., which is a policy wheel?

Mr. TREMONT. I said I refused to answer the question on the ground that that may incriminate me.

Mr. ROBINSON. Do you know Jack Guzik?

Mr. TREMONT. I do not, sir.

Mr. ROBINSON. Do you know Tony Accardo?

Mr. TREMONT. I do not, sir.

Mr. ROBINSON. You never met him?

Mr. TREMONT. No, sir.

Mr. ROBINSON. Do you know Rocco Fischetti?

Mr. TREMONT. I do not think I do. No, sir, I do not know him.

Mr. ROBINSON. Or Charles Fischetti?

Mr. TREMONT. I do not, sir.

Mr. ROBINSON. Where did you come from, Mr. Tremont? Have you always lived in Chicago?

Mr. TREMONT. No, sir.

Mr. ROBINSON. What place did you come to Chicago from?

Mr. TREMONT. From Port Arthur, Tex.

Mr. ROBINSON. From where?

Mr. TREMONT. Port Arthur, Tex.

Mr. ROBINSON. Were you brought up in Texas?

Mr. TREMONT. Yes, sir. I was born in Louisiana, and brought up in Texas.

Mr. ROBINSON. When did you come to Chicago?

Mr. TREMONT. Well, I will try to figure that out. I think it was either 1924—I believe it was somewhere in 1924.

Mr. ROBINSON. What did you do when you came to Chicago? Where were you first employed?

Mr. TREMONT. Oh, I had different odd end jobs here and there. I don't remember exactly. I worked for the National Biscuit Co. for a while. I worked for—it wasn't too long in any job to just exactly remember what the jobs actually were.

Mr. ROBINSON. Were you ever connected with the liquor business during the period from 1924 to 1930?

Mr. TREMONT. Would you mind repeating the question?

Mr. ROBINSON. Were you ever connected with the liquor business?

Mr. TREMONT. No, sir; I have not.

Mr. ROBINSON. After you came to Chicago?

Mr. TREMONT. No, sir.

Mr. ROBINSON. How much did you pay for the automobile account you acquired around 1932, 1931, or thereabouts?

Mr. TREMONT. Well, I would refuse to answer that question on the ground that it would incriminate me.

Mr. ROBINSON. Where did you acquire the funds with which to purchase the automobile business?

Mr. TREMONT. I would refuse to answer that question on the ground that it may incriminate me.

Mr. ROBINSON. Were you in the policy business around 1930 or 1931?

Mr. TREMONT. I would refuse to answer that question on the ground it may tend to incriminate me.

Mr. ROBINSON. Do you know how a policy wheel operates?

Mr. TREMONT. I refuse to answer that question.

Mr. ROBINSON. Have you ever heard of a policy wheel?

Mr. TREMONT. I refuse to answer that question on the ground it may incriminate me.

Mr. ROBINSON. Do you know Caesar Benvenuti?

Mr. TREMONT. I would refuse to answer that question on the ground that it may incriminate me.

Mr. ROBINSON. Or Leo Benvenuti?

Mr. TREMONT. I would refuse to answer that question on the ground that it may incriminate me.

Mr. ROBINSON. Have you ever heard of Ed Jones?

Mr. TREMONT. I would refuse to answer that question on the ground that it may incriminate me.

Mr. ROBINSON. Have you ever had any business with the Victory Paper Co.?

Mr. TREMONT. I would refuse to answer that question on the ground it may incriminate me.

Senator KEFAUVER. We understand your refusal to answer. You don't need to quote on the ground that it may tend to incriminate you.

Mr. TREMONT. I see. That was the thing I meant to ask you before.

Mr. ROBINSON. Have you ever heard of the Victory Paper Co.?

Mr. TREMONT. I refuse to answer.

Mr. ROBINSON. You refuse to answer that you ever heard of it?

Mr. TREMONT. I refuse to answer the question on the ground that it may tend to incriminate me.

As a matter of record, so there will be no confusion, I will say it my way if you don't mind, Senator.

Senator KEFAUVER. That is all right.

Mr. ROBINSON. Have you ever had any interest in any gambling establishment?

Mr. TREMONT. I refuse to answer that question on the ground it might incriminate me.

Mr. ROBINSON. Have you ever heard of Paul Jones?

Mr. TREMONT. That name doesn't seem to register.

Mr. ROBINSON. From Dallas, Tex.?

Mr. TREMONT. No, sir.

Mr. ROBINSON. How long have you known Pat Manning?

Mr. TREMONT. Well, it has been at least 23 years. He was married to my sister, and he has a boy that is 22.

Mr. ROBINSON. And was he ever associated with you in the automobile business?

Mr. TREMONT. No, sir.

Mr. ROBINSON. Was he ever on your payroll as a salesman?

Mr. TREMONT. No, sir.

Mr. ROBINSON. Do you have any interest in the Steelco Co.? Have you ever invested any money in the company called the Steelco Co.?

Mr. TREMONT. I never hear of the company, sir.

Mr. ROBINSON. Do you know Joe Fusco?

Mr. TREMONT. Yes, I do, sir.

Mr. ROBINSON. How long have you known him?

Mr. TREMONT. At least 10 or 12 years.

Mr. ROBINSON. Have you ever had any business connection with him?

Mr. TREMONT. No, sir.

Mr. ROBINSON. In the liquor business?

Mr. TREMONT. No, sir.

Mr. ROBINSON. Do you know whether or not Mr. Pat Manning was in Texas in the year 1946?

Mr. TREMONT. No, sir, I do not know.

Mr. ROBINSON. You did not know that?

Mr. TREMONT. No, sir. I didn't know he was there. If he was there, I don't know.

Senator KEFAUVER. Did Mr. Robinson ask you if you were ever connected in business with Pat Manning or Pat Manno?

Mr. TREMONT. Did he ask me such a question?

Senator KEFAUVER. Yes. If he didn't, I want to ask you if you ever were in business with Pat Manning or Pat Manno.

Mr. TREMONT. I refuse to answer that question, sir, on the ground it may incriminate me.

Senator KEFAUVER. When did you get into the automobile business?

Mr. TREMONT. I answered that question, I believe.

Senator KEFAUVER. Well, when was it 19—

Mr. TREMONT. I think it was in '33 or '34. I am not too sure. It is a matter of record, Senator. I think it can be checked.

Senator KEFAUVER. You are a Chevrolet dealer?

Mr. TREMONT. No, sir.

Senator KEFAUVER. What line do you—

Mr. TREMONT. Chrysler and Plymouth.

Senator KEFAUVER. Chrysler and Plymouth. You also have a used automobile sales—you sell used automobiles?

Mr. TREMONT. Well, all new car agents have used-car problems. That is part of the business.

Senator KEFAUVER. Is that Tremont Auto Sales a corporation?

Mr. TREMONT. Yes, sir.

Senator KEFAUVER. Are you the principal stockholder?

Mr. TREMONT. No.

Senator KEFAUVER. Do you mind telling us who the other principal stockholders—

Mr. TREMONT. My two sons.

Senator KEFAUVER. Your two sons?

Mr. TREMONT. Yes.

Senator KEFAUVER. The three of you own the business entirely?

Mr. TREMONT. Yes, sir.

Senator KEFAUVER. Is it a big business?

Mr. TREMONT. Well, you—I believe you sent a man down there and he has the records on that. I can't give you the accurate figures on it, but I believe you sent a man down to check the Tremont Auto Sales Corp. records, and I believe you have those records here.

Senator KEFAUVER. Yes; I know, but I mean just generally how big a business is it?

Mr. TREMONT. Well, we sell an average—I really can't answer that. I mean, you have the records there. If you have the records they are such as they are.

Senator KEFAUVER. Well, it is a substantially large business, isn't it?

Mr. TREMONT. I would say it is a nice business as far as that field is concerned, yes.

Senator KEFAUVER. Well, Mr. Amis or Mr. Robinson, about how large is the business?

Mr. ROBINSON. They have a net of about \$43,000.

Senator KEFAUVER. Was the net this year about \$43,000 so far?

Mr. TREMONT. If that is the figure you have it is correct.

Senator KEFAUVER. All right. When did you get out of the Illinois Construction Corp.?

Mr. TREMONT. Well, that is—I don't have the exact record on that, but you have it. I believe your man was down to the Illinois Construction Co. You can incorporate any records you want. I am pretty sure he has all those records and whatever you may have there is a fact.

Senator KEFAUVER. Who was associated with you? Who is the operating director there?

Mr. TREMONT. Mr. Richard Sweitzer.

Senator KEFAUVER. Who else?

Mr. TREMONT. And Mitchel Oschowski.

Senator KEFAUVER. And who else?

Mr. TREMONT. And his brother Alex.

Senator KEFAUVER. Where was the office of the Illinois Construction Corp.?

Mr. TREMONT. At—well, originally when they started I gave them a little space in my place for a short while until they got quarters to move into, and then they moved in over here where you went to, I think it is 5600 Blackstone Avenue, I believe it is.

Senator KEFAUVER. And you sold out some time ago?

Mr. TREMONT. Well, it hasn't been too long ago.

Senator KEFAUVER. Was Charles Gioe connected with that company?

Mr. TREMONT. Sir?

Senator KEFAUVER. Charles Gioe was not connected with that company?

Mr. TREMONT. No, no; Charles Gioe is connected with our company.

Senator KEFAUVER. Anyway, you have given us all the people who were the connections with that company?

Mr. TREMONT. Yes.

Mr. G. S. ROBINSON. Do you know a Joe Revoletti or Revelio?

Mr. TREMONT. I refuse to answer that question on the grounds that that may incriminate me.

Mr. G. S. ROBINSON. That is all.

Senator KEFAUVER. All right, Mr. Tremont, and Mr. Green. That will be all. We will have to recommend that some action be taken by way of contempt against Mr. Tremont, too. Sorry.

Thank you, Mr. Tremont.

Mr. TREMONT. Thank you, Senator.

ANNEX II

The committee has received the following memorandum from its chief counsel, which sets forth the legal opinion of its staff with reference to the contempts committed by Peter Tremont:

JANUARY 29, 1951.

MEMORANDUM TO SENATOR ESTES KEFAUVER, CHAIRMAN, RE CONTEMPT OF
PETER TREMONT (S. RES. 69)

I have examined the record of the testimony of Peter Tremont in addition to hearing it at the time it was given, and it is my opinion, which has previously been conveyed to the committee, that the refusal by Peter Tremont to answer questions was contemptuous of the United States Senate and its Special Committee To Investigate Organized Crime in Interstate Commerce.

As chief counsel of the committee, with the advice and concurrence of the committee's legal staff, I have advised the committee and now certify that the contempts complained of are, in my opinion, punishable as a matter of law. In those instances where the witness asserted a claim of privilege, it is my opinion that the claim was not made in good faith inasmuch as there was no reasonable relationship between the questions asked and a line of proof which might incriminate the witness under any Federal statute.

In certifying contempt proceedings, this committee and its counsel have carefully distinguished between refusals to answer based on an arbitrary or fanciful claim of privilege from refusals to answer questions where a claim of privilege might be raised with even a minimum possibility that the witness might be incriminated under any of the laws of the United States.

RUDOLPH HALLEY,
Chief Counsel.

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Annex II

The committee has received the following information from its chief counsel, which sets forth the legal opinion of the said committee as to the charges contained in the letter from Raymond.

January 20, 1931

MEMORANDUM TO SENATOR JAMES H. HANCOCK, Chairman, the Committee on the Judiciary, U. S. Senate

I have examined the record of the testimony of Robert T. Ford in relation to the charges against the committee, and it is my opinion, which has been given to the committee, that the charges are without foundation. It is my opinion that the charges are without foundation, and the committee is not bound to accept them. I have advised the committee and now certify that the committee is not bound to accept them.

As chief counsel of the committee, with the advice and consent of the committee, I have advised the committee and now certify that the committee is not bound to accept them. It is my opinion, which has been given to the committee, that the charges are without foundation. It is my opinion that the charges are without foundation, and the committee is not bound to accept them.

In giving the committee this opinion, I have based it on the facts as they appear in the record. I have not based it on any other facts. I have not based it on any other facts. I have not based it on any other facts.

Respectfully,
Chief Counsel